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**DIRECTOR'S OFFICE
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WALTER M EGBERT III
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1251 AVENUE OF THE AMERICAS
NEW YORK NY 10020-1104

In re Application of
Joshua A. Rosenthol, et al.
Application No. 09/262,658
Filed: March 4, 1999
For: **PROGRAM GUIDE SYSTEM WITH
USER DESIGNATED FAVORITE THEMES**

DECISION ON PETITION

This is a decision on the Petition to Withdraw Holding of Abandonment filed March 4, 2005, pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The application was held abandoned for failure to respond in a timely manner and effective manner to the Office communication mailed July 13, 2004. A Notice of Abandonment was mailed February 10, 2005.


Petitioner alleges to have timely filed a response to said Office communication on January 13, 2005. In support thereof, Petitioner provided evidence in the way of a copy of a stamped post card, copy of an express mail receipt, copy of the response transmittal letter, and a copy of a copy of the response filed.

A review of the file records reveals that the original amendment filed on January 13, 2005 has been located and matched with the file.

In view of the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Any inconvenience caused petitioner is regretted.

The petition is **GRANTED**.

The file will be forwarded to the examiner for consideration in due course.


Dwayne Bost
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